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OFFICE OF PETITIONS

In re Application of
James A. Patterson
Application No. 09/766,513
Filed: January 19, 2001
Attorney Docket No. P-1754

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 26, 2002 (Certificate of Mailing dated December 19, 2002).

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper reply to the non-final Office action mailed August 1, 2001, which set a shortened statutory period for reply of three months. Applicant filed an amendment on February 20, 2002, made timely by obtaining a three month extension of time and including a Certificate of Mailing dated January 24, 2002. However, a Notice of Non-Compliant Amendment was mailed on March 15, 2002. This Notice gave applicant a one month period to reply. Applicant filed another amendment on April 15, 2002. However, a second Notice of Non-Compliant Amendment was mailed on August 14, 2002. This Notice did not give applicant additional time to reply. Accordingly, the above-identified application became abandoned on April 16, 2002. A Notice of Abandonment was mailed on November 6, 2002.

Petitioner has met the requirements to revive the above-identified application, pursuant to 37 CFR 1.137(b). Petitioner filed an amendment in response to the August 1, 2001 Office action, paid the petition fee and made the proper statement of unintentional delay.

The application file is being forwarded to Technology Center 1600 for consideration of petitioner's amendment, filed December 26, 2002.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0272.

Cliff Congo
Petitions Attorney
Office of Petitions